

HOUSE JOURNAL

SEVENTY-EIGHTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

TWENTY-SEVENTH DAY — TUESDAY, MARCH 4, 2003

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 35).

Present — Mr. Speaker; Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Rangel; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

The invocation was offered by Reverend Curtis Brewer, minister of music, First Baptist Church, Odessa, as follows:

Our Father in heaven, thank you that we have the privilege to call you our Father. Thank you that you are here today, in our midst, to hear the petitions of your people.

God, I pray especially for each man and woman that is here today. I pray for divine wisdom for each of them as they make decisions that will affect untold thousands. Give them insight that can come only from you and the desire to fulfill your perfect plan, not only for their own personal lives and respective areas of service, but also for the State of Texas.

Father, I also pray for their families. Protect them in the things that they are involved in today, and may they sense your presence in their lives even as we're praying this morning.

Father, together we lift our president to you. I pray, God, that you will protect him and give him the wisdom, strength, and perseverance to run the race you have set before him.

Lord, when this day is done and we're exhausted from the task, may we hear you say, "Well done, thou good and faithful servant."

Bless this body assembled here today. Bless our governor as he gives direction for our state. And please God, bless and protect America. In the strong name of Jesus, our Lord and Savior, we pray. Amen.

CAPITOL PHYSICIAN

The speaker recognized Representative Casteel who presented Dr. Michael Hindman of New Braunfels as the "Doctor for the Day."

The house welcomed Dr. Hindman and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

CAPITOL OPTOMETRIST

The speaker recognized Representatives Casteel and Truitt who presented Drs. Tom Chandler of Grapevine and W. Steve Kroeger of Fredericksburg as the "Optometrists for the Day."

COMMITTEE GRANTED PERMISSION TO MEET

Representative Pickett requested permission for the Committee on Appropriations, Subcommittee on General Government to meet while the house is in session.

Permission to meet was granted without objection.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Appropriations, Subcommittee on General Government, at this time today, E1.018, for a formal meeting, to consider 04-05 appropriations.

(Edwards in the chair)

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

HCR 98 - ADOPTED (by Nixon)

Representative Nixon moved to suspend all necessary rules to take up and consider at this time **HCR 98**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 98, Congratulating Tony Hills, Jr., of Alief Elsik High School on his athletic achievements.

HCR 98 was read and was adopted without objection.

INTRODUCTION OF GUEST

The chair recognized Representative Nixon who introduced Tony Hills, Jr.

HR 370 - ADOPTED

(by Hardcastle)

Representative J. Keffer moved to suspend all necessary rules to take up and consider at this time **HR 370**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 370, Recognizing March 4, 2003, as Gainesville Appreciation Day at the State Capitol.

HR 370 was read and was adopted without objection.

HR 388 - ADOPTED

(by Pitts)

Representative Pitts moved to suspend all necessary rules to take up and consider at this time **HR 388**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 388, Honoring Bernyce Crownover on being named the 2002 Waxahachie Citizen of the Year.

HR 388 was read and was adopted without objection.

On motion of Representative West, the names of all the members of the house were added to **HR 388** as signers thereof.

HCR 60 - ADOPTED

(by Pitts)

Representative Pitts moved to suspend all necessary rules to take up and consider at this time **HCR 60**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 60, Recognizing March 4, 2003, as Ellis County Day at the State Capitol.

HCR 60 was read and was adopted without objection.

On motion of Representative West, the names of all the members of the house were added to **HCR 60** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Pitts who introduced a delegation from Ellis County.

HR 377 - ADOPTED
(by Hardcastle)

Representative J. Keffer moved to suspend all necessary rules to take up and consider at this time **HR 377**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 377, Recognizing March 4, 2003, as Cotton Day at the State Capitol.

(Speaker in the chair)

HR 377 was read and was adopted without objection.

HR 62 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 62**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 62, Honoring the San Antonio Sports Hall of Fame's Class of 2003.

(Corte in the chair)

HR 62 was read and was adopted without objection.

On motion of Representative Uresti, the names of all the members of the house were added to **HR 62** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative McClendon who introduced Linus Baer, John Miles, and Demetria Sance.

HR 374 - ADOPTED
(by Naishtat)

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **HR 374**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 374, Recognizing March 4, 2003, as Team Everest '03 Day at the State Capitol.

HR 374 was read and was adopted without objection.

SCR 18 - ADOPTED
(Naishtat - House Sponsor)

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **SCR 18**.

The motion prevailed without objection.

The following resolution was laid before the house:

SCR 18, Authorizing the burial of Steven Leslie Martin in the State Cemetery.

SCR 18 was adopted without objection.

**HR 387 - ADOPTED
(by Chisum)**

Representative Chisum moved to suspend all necessary rules to take up and consider at this time **HR 387**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 387, Honoring Debbie Albert for her work with Keep Texas Beautiful.

HR 387 was adopted without objection.

**HR 371 - ADOPTED
(by Flores)**

Representative Flores moved to suspend all necessary rules to take up and consider at this time **HR 371**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 371, Congratulating the Honorable Tony Garza, the United States Ambassador to Mexico, on being named 2003 Border Texan of the Year.

HR 371 was adopted without objection.

COMMITTEE APPOINTED

The chair announced the appointment of the following committee to escort Chief Justice Phillips to the speaker's rostrum: Representatives Hartnett, chair; Baxter, Garza, Hegar, Hodge, T. Smith, Solis, and Talton.

HOUSE AT EASE

At 11 a.m., the chair announced that the house would stand at ease.

The speaker called the house to order at 11:22 a.m.

**ADDRESS BY THE HONORABLE THOMAS R. PHILLIPS
(The House of Representatives and the Senate in Joint Session)**

In accordance with the provisions of **HCR 66**, providing for a joint session of the senate and house of representatives for the purpose of hearing an address by the Honorable Thomas R. Phillips, Chief Justice of the Supreme Court of Texas, Governor Rick Perry, Lieutenant Governor David Dewhurst, and the honorable senators were announced at the door of the house and were admitted.

The senators occupied seats arranged for them.

Governor Rick Perry and Lieutenant Governor David Dewhurst were escorted to the speaker's rostrum.

The Honorable Thomas R. Phillips, escorted by Senators Duncan, chair; Gallegos, Averitt, Lucio, Harris, West, and Bivins, committee on part of the senate; and Representatives Hartnett, chair; Baxter, Garza, Hegar, Hodge, T. Smith, Solis, and Talton, committee on part of the house, were announced at the door of the house and, being admitted, were escorted to the speaker's rostrum.

Lieutenant Governor Dewhurst called the senate to order.

A quorum of the senate was announced present.

Speaker Craddick called the house of representatives to order.

A quorum of the house was announced present.

Speaker Craddick announced that the two houses were in joint session pursuant to **HCR 66** for the purpose of hearing an address by the Honorable Thomas R. Phillips, Chief Justice of the Supreme Court of Texas.

Speaker Craddick recognized members of the Supreme Court of Texas, presiding Judge Sharon Keller, members of the Court of Criminal Appeals of Texas, former Chief Justice Jack Pope, former Chief Justice Joe Greenhill, and Lyn B. Phillips, wife of Chief Justice Phillips.

Chief Justice Thomas R. Phillips presented the State of the Judiciary address, speaking as follows:

Governor Perry, Governor Dewhurst, Speaker Craddick, distinguished members of the 78th Legislature, fellow judges, and fellow Texans:

On behalf of the judiciary of Texas, I very much appreciate the opportunity to deliver this State of the Judiciary Address, to a joint session of the legislature. By inviting me to appear in the same manner as you invite the governor to give the State of the State Address,¹ you demonstrate the legislature's respect for each department of government as separate and co-equal. The judges of Texas appreciate that commitment, and we pledge ourselves ready to work with you in devising creative solutions to the problems that face our branch.

Early in the Civil War, the United States found that spiraling budget demands obliged it to start printing paper money. A cabinet officer reportedly asked President Lincoln whether the new Greenbacks should bear the motto "In God We Trust." Lincoln replied that a more appropriate biblical inscription might be, "Silver and gold have I none, but such as I have I give thee."²

Like the beggar seeking alms at the temple gate, the judicial branch has little chance of success if all we seek from the legislature this year is new money and new programs, especially since you don't have a printing press to balance your budget. But just as the beggar received from Peter and John something far more precious than money, the ability to walk and leap, you can use the current crisis to give the judiciary something far better. You can reduce appropriations to the third branch not by rationing justice, but by restructuring the judicial system. You can make our courts not merely more economical, but more efficient and responsive as well. By removing obstacles to judicial efficiency, by redistricting the trial and

appellate courts, and, most of all, by permitting the voters to decide whether to change the way we choose judges, you can enhance the rule of law all across Texas.

Enhancing Judicial Efficiency

As a result of proposed reductions to judicial appropriations, appellate courts will have smaller staffs and trial courts will have less technology. We can deal with these reductions better if the legislature will streamline our courts to eliminate unnecessary work. In particular, I ask you to ensure that the statutes granting jurisdiction to the various courts of our state are clear and consistent, so that judges and litigants need not struggle over whether a case has been filed in or appealed to the proper court. And I ask you to review and amend those statutes which, for whatever reason, the courts have not satisfactorily interpreted and applied. To give but one example, our court for nearly 30 years has had difficulty understanding the part of the Texas Tort Claims Act waiving sovereign immunity for "personal injury and death...caused by a condition or use of tangible personal or real property...."³ In both majority opinions and dissents, we have repeatedly called upon the legislature to clarify this language, which is not found in the laws of any other state.⁴

In recent years, the house of representatives has asked its Committee on Civil Practices to review and report on those appellate judicial decisions that "(1) clearly failed to properly implement legislative purposes, (2) found two or more statutes to be in conflict, (3) held a statute to be unconstitutional, (4) expressly found a statute to be ambiguous, or (5) expressly suggested legislative action."⁵ The reports generated by these charges could help you draft clarifying language which will benefit the entire legal system.

Judicial Redistricting

Trial Court Redistricting. You could greatly enhance equal access to justice by redistricting the state's district and appellate courts. The Texas Constitution contemplates that the legislature will "enact[] a statewide reapportionment of the judicial districts following each federal decennial census."⁶ If the legislature fails to act by the first Monday in June of the third year after the census, a series of default procedures commence that may or may not result in a new plan.

I realize how hard it is to redistrict the state's courts, having devised one plan of my own as part of my dissent to the Order of the Judicial Districts Board in 1993.⁷ I also know that many of you, during the recent interim and a decade ago, devoted many hours to this issue. Like me, you found that counties varied widely in the budget and staff devoted to their district courts, the types of cases filed in their districts, and the extra-judicial duties imposed on their judges. You found that many judges had to travel across several counties, while others had to hear only one particular type of case within a single county. You found that some counties were served by statutory county courts with nearly equivalent jurisdiction to the district courts, while others had statutory courts of more limited jurisdiction or only a constitutional county court. You found that building a prison or closing a plant could have a large impact on the judicial workload of a smaller county.

Yet, these facts abide. First, the legislature has not passed comprehensive judicial redistricting since 1883,⁸ so it is unlikely that another look this year would be premature. Second, some district courts have far more work than others. Last year, for example, nearly 12 times as many cases were filed in the busiest district court as in the least crowded court. Third, if you equalize judicial workloads, the state can reduce expenditures for visiting judges, who are often assigned to move the state's most crowded dockets.

Appellate Redistricting. I also urge you to reconfigure our appellate judicial districts. No new appellate judgeships have been added since 1981,⁹ no new courts of appeals have been created since 1967,¹⁰ and no comprehensive redistricting has occurred since 1927.¹¹ As a result, last year more than three times as many appeals per justice were filed in the busiest court as in the least crowded.¹² To be sure, the legislature has alleviated this imbalance by directing the supreme court to transfer cases between courts under a docket equalization program.¹³ But these transfers cost time and money, particularly because justices have to travel to the place where the appeal was originally filed to hear oral argument unless all parties agree otherwise.¹⁴ Moreover, some appeals are subject to forum shopping because, unlike any other state, Texas places some counties in more than one appellate district.¹⁵

As required by law,¹⁶ the supreme court has submitted to this legislature its decennial assessment of the needs for changing appellate courts, a copy of which is attached as Appendix A. While we do not recommend eliminating the courts, we strongly urge you to eliminate overlapping districts and reallocate existing courts to even out the workload.

In some parts of the state, you will find a ready consensus for change. For example, I am told that the bench and bar in both El Paso and Midland support moving Midland County from the Eighth Court of Appeals to some other court. Other changes, however, may meet with strong local resistance. But courts are not for judges, and not for lawyers, but for the public, who deserve predictability and current dockets regardless of where they live. Therefore, I ask you to redistrict the appellate courts.

Judicial Selection Reform

I have saved for last the issue which I personally believe is most critical for our courts—the question of how we elect our judges. Our partisan, high-dollar judicial selection system has diminished public confidence in our courts, damaged our reputation throughout the country and around the world, and discouraged able lawyers from pursuing a judicial career. I urge you to submit a constitutional amendment at the earliest possible date to allow the people to decide whether they would prefer another election method.

When Texas adopted judicial elections in 1850, there were only three supreme and 11 district judges in the entire state. The judicial ballot was short: citizens voted in one or perhaps two races. Candidates campaigned through stump speeches and handbills, with a few kegs of whiskey for thirsty voters being the principal expense. Reformers believed then that judges chosen by the people would be more independent, more qualified, and more accountable.

Today, long ballots, partisan sweeps, and big money campaigns have completely negated the original intent of judicial elections. Only three other states—Alabama, Louisiana, and West Virginia—still choose all their trial and appellate judges, both initially and for re-election, in partisan contested elections. Most other states have concluded that the goals of an independent, qualified, and accountable judiciary can better be achieved by treating judicial races differently. Many states have chosen retention elections, which require every judge to run on a non-partisan "yes" or "no" ballot at the end of each term.

Under **SJR 33** and **HJR 63**, filed yesterday with bipartisan sponsorship, all current supreme court, court of criminal appeals, court of appeals, and district court justices and judges would stand for retention elections at the end of their terms. When a vacancy occurs, whether by death, resignation, removal, defeat, or new court creation, the governor would appoint a successor. Although the new judge would take office immediately, his or her appointment would be subject to senate confirmation before the first retention election. The senate could also adopt rules requiring additional approval by the Nominations Committee for appointments made between sessions.

Retention elections would preserve most of the good of electing judges while alleviating most of the bad. Far from diluting the democratic process, retention elections would actually give most voters more control over their judges than they now enjoy. Today, most Texas judicial races are unopposed, and most incumbents therefore need only one vote to be re-elected.¹⁷ Almost half of all Texas judges are initially appointed anyway, to a new bench or to fill an unexpired term.¹⁸ Many judges, particularly in less populated counties, have never had an opponent in their judicial careers.¹⁹ With retention elections, on the other hand, every judge would face his or her employers, the people, at regular intervals. If judges who know that voters can remove them are more patient, punctual, and efficient, then why not ensure that all 516 state judges are subject to a meaningful vote?

Because retention elections are non-partisan, they will encourage a more deliberate vote. Since 1980, nearly one-third of all state judges who were opposed in a general election were defeated. Most of these defeats, I submit, were more about party label than competence or qualifications. While justice should be blind, voting shouldn't be. Yet, because of rapid changes in demographics and political affiliations across many parts of Texas, judicial turnover will undoubtedly increase in the coming years if we keep the current system.

Retention elections will also minimize the need for most judges to amass million-dollar war chests and hire image consultants. With very few exceptions, retention elections in other states more closely resemble the rather genteel canvasses of the 1850's than the raucous Texas Supreme Court elections of the 1980's and 1990's. The damage to public confidence caused by these nasty contests is hard to calculate, but a 1998 survey revealed that 83% of Texans believed that Texas judicial decisions were "very" or "fairly" significantly influenced by campaign contributions.²⁰ Perhaps worse, from watching 60

Minutes or *Frontline* or reading the *New York Times*, the *Financial Times*, or *USA Today*, millions of people worldwide now believe that politics has compromised the rule of law in Texas courts.

Lawrence Sullivan Ross was right when, at the Constitutional Convention of 1875, he labeled "[t]he destruction of public confidence in the judiciary" as "the greatest curse that can befall a country."²¹ When we look at the surcharges that some reinsurers impose on customers that do business in Texas, or the lengths to which some contracting parties will go to keep their disputes away from Texas courts, is it not possible that Governor Ross' curse is already upon us?

Contested, partisan judicial elections are likely to erode public confidence even further in the wake of last year's United States Supreme Court opinion in *Republican Party of Minnesota v. White*.²² Because of that decision, the Texas Supreme Court has repealed that canon of our Code of Judicial Conduct which kept judges and judicial candidates from commenting on issues that might come before their courts.²³ Issue-oriented campaigns make it difficult for people to distinguish between legislators who make the law and judges who merely interpret it.

Last year, a lawyer stopped me on the street to share a problem: his law firm couldn't decide who to support in a high-profile race between two district judges for a seat on our court. He very much wanted to support the winner, complaining that his firm would really be hurt if they guessed wrong. I was stunned. Weren't both candidates able jurists who put principle above politics? "Yes," he readily agreed. Then why not just support the better candidate, I inquired. "Well," he explained, "our firm wants our clients to believe that we're players. If we back a loser, we'll have no credibility."

This year, you can offer the people of Texas a judiciary where no client will have to ask their lawyer, "How are you with the judge?" You can end the years of debate on this issue by letting the people decide, once and for all, what kind of election system they prefer. We have talked about this issue enough. As Shakespeare put it, "Action is eloquence."²⁴

¹Compare TEX. CONST. Art. IV § 9 (Governor's message and recommendations) with TEX. GOV'T CODE §21.004 (State of Judiciary Message).

²Keith W. Jennison, *The Humorous Mr. Lincoln* (New York, 1965) 93-94. Lincoln was quoting Acts 3:6 (KJV).

³TEX. CIV. PRAC. & REM. CODE §101.021(2).

⁴See, e.g., *Tex. Dep't of Criminal Justice v. Miller* 51 S.W.3d 583, 589 (Tex. 2001) (Hecht, J., concurring); *Kerrville State Hosp. v. Clark*, 923 S.W.2d 582, 584 (Tex. 1996); *Univ. of Tex. Med. Branch v. York*, 871 S.W. 2d 175, 177 (Tex. 1994); *Tex. Dep't of MHMR v. Petty*, 848 S.W.2d 680, 683-84 (Tex. 1992); *Robinson v. Cent. Tex. MHMR Ctr.*, 780 S.W.2d 169, 170 (Tex. 1989); *Salcedo v. El Paso Hosp. Dist.*, 659 S.W.2d 30, 32 (Tex. 1983); *Lowe v. Tex. Tech Univ.*, 540 S.W.2d 297, 301 (Tex. 1976) (Greenhill, C.J., concurring).

⁵Interim Charges to House Committees, 77th Leg., 2001.

⁶TEX. CONST. Art. V, § 7a.

⁷See Statement of Thomas R. Phillips and William E. Moody dissenting to Order of Statewide Reapportionment of Judicial Districts (August 25, 1993).

⁸Ch. XLI, 18th Leg., Reg. Session, 1883 Tex. Gen. Laws 28.

⁹Ch. 728, § 2, 60th Leg., Reg. Session, 1977 Tex. Gen. Laws 1953.

¹⁰Ch. 291, §31, 67th Leg., Reg. Session, 1981 Tex. Gen. Laws 761.

¹¹Ch. 36, 40th Leg., Reg. Session, 1927 Tex. Gen. and Special Laws 50, 56.

¹²In 2002, 184 appeals per justice were filed in the Ninth Court, and only 61 appeals per justice were filed in the Eleventh Court.

¹³TEX. GOV'T CODE § 73.001.

¹⁴TEX. GOV'T CODE § 73.003.

¹⁵See, e.g., *Miles v. Ford Motor Co.*, 914 S.W.2d 135 (1995).

¹⁶TEX. GOV'T CODE § 74.022.

¹⁷Between 1980 and 2002, over 69% (1632 of 2363) of Texas' incumbent judges were entirely unopposed for re-election, and almost 80% (1889 of 2363) were unopposed in the general election.

¹⁸Since I became Chief Justice on January 4, 1988, 404 state judges have reached the bench by election and 298 by appointment.

¹⁹Today, 104 of Texas' 516 state judges have never been opposed for the office they hold.

²⁰Texas Supreme Court et al., *Public Trust and Confidence in the Courts and the Legal Profession in Texas*, p. 24 (December 1998).

²¹Seth Shepard McKay, *Debates in the Texas Constitutional Convention of 1875*, p. 429 (The University of Texas Press 1930).

²²536 U.S. 765 (2002).

²³Supreme Court Order, Misc. Docket No. 02-9167 (2002).

²⁴William Shakespeare, *Coriolanus*, Act III, Scene II.

INTERPRETER FOR THE DEAF

The interpretation of the proceedings of the house was provided today by Sandra Rouse.

SENATE RECESS

At 11:47 a.m., Lieutenant Governor Dewhurst stated that the business of the joint session had been accomplished and that the senate would, in accordance with a previous motion, stand recessed until 1:00 p.m.

HOUSE AT EASE

At 11:47 a.m., the speaker announced that the house would stand at ease pending the departure of guests.

The speaker called the house to order at 11:58 a.m.

PROVIDING FOR ADJOURNMENT

Representative Alonzo moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow in memory of Yolanda Lujan of Fort Worth.

The motion prevailed without objection.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES
CORRECTIONS IN REFERRAL**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. Pursuant to Rule 1, Section 4, of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

ADJOURNMENT

In accordance with a previous motion, the house, at 12:04 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 9 (By Flores, Corte, Isett, et al.), Relating to homeland security.
To Defense Affairs and State-Federal Relations.

HR 330 (By King), Recognizing March 11, 2003, as Wise County Day at the Capitol.
To Rules and Resolutions.

HR 333 (By Geren), Congratulating Charles Boyle Campbell, Jr., on his retirement from the Tarrant Regional Water District board of directors.
To Rules and Resolutions.

HR 334 (By R. Cook), In memory of Jackson Stullken Webb of Elgin.
To Rules and Resolutions.

HR 335 (By R. Cook), Congratulating Katy Fuller of La Grange for being named a distinguished finalist for the Prudential Spirit of Community Awards.
To Rules and Resolutions.

HR 336 (By Kuempel), In memory of Brent Kyle Bischoff of Corpus Christi.
To Rules and Resolutions.

HR 337 (By Allen), Commending Jana Barker and all those associated with Brighter Tomorrows for their contributions to the community.
To Rules and Resolutions.

HR 338 (By Allen), In memory of Deputy Bobby R. Franks of the Houston County Sheriff's Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 339 (By Allen), In memory of Sergeant Stephen Edward Davenport of the Limestone County Sheriff's Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 340 (By Allen), In memory of Corporal Joseph Thomas Cushman of the Arlington Police Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 341 (By Allen), In memory of Lieutenant Jeffery L. Springer of the Waxahachie Police Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 342 (By Allen), In memory of Patrol Officer Jerry Keith Stowe of the Houston Police Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 343 (By Allen), In memory of Sergeant Kevin Dale Cox of the Lubbock Police Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 344 (By Allen), In memory of Corporal David E. King of the Liberty County Sheriff's Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 345 (By Allen), In memory of Officer Michael Maurice Johns of the Coppell Police Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 346 (By Allen), In memory of Patrolman Conrad Sudario Gernale of the Beaumont Police Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 347 (By Allen), In memory of Senior Trooper Richard D. Cottle of the Texas Department of Public Safety, who was killed in the line of duty.

To Rules and Resolutions.

HR 348 (By Allen), In memory of Motorcycle Officer Keith A. Dees of the Houston Police Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 349 (By Allen), In memory of John William Overbey of Austin.

To Rules and Resolutions.

HR 350 (By Allen), In memory of Sergeant Jaime P. Rodriguez of the Andrews Police Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 351 (By Allen), In memory of Captain George Scott Monier of the White Settlement Police Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 352 (By Allen), In memory of Officer Patrick Lee Metzler of the Dallas Police Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 353 (By Allen), In memory of Motorcycle Officer Rodney Raylyn Kendricks of the Lubbock Police Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 354 (By Allen), In memory of Lieutenant Claton "Clay" Morris Medrano of the Harrison County Sheriff's Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 355 (By Allen), In memory of Deputy Sheriff Larry Mack Dowdy of the Coryell County Sheriff's Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 356 (By Allen), In memory of Deputy Shane R. Bennett of the Harris County Sheriff's Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 357 (By Allen), In memory of Deputy Joseph Norman Dennis of the Harris County Sheriff's Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 358 (By Allen), In memory of Deputy Sheriff Jim Bruce Graham of the Hemphill County Sheriff's Office, who was killed in the line of duty.

To Rules and Resolutions.

HR 359 (By Allen), In memory of Patrol Officer Harry Marvin "Marty" Steinfeldt III of the Ferris Police Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 360 (By Allen), In memory of Officer Alberto Vasquez of the Houston Police Department, who was killed in the line of duty.

To Rules and Resolutions.

HR 361 (By Allen), In memory of J. C. Swadley of Grand Prairie.

To Rules and Resolutions.

SB 193 to Transportation.

Pursuant to Rule 1, Section 4, of the House Rules, the chair corrects the referral of the following bills and resolutions:

HB 718 (By F. Brown), Relating to vehicles passing certain stationary emergency vehicles on a highway; providing a penalty.

To Transportation.

MESSAGE FROM THE SENATE

The following message from the senate was today received by the house:

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Tuesday, March 4, 2003

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SCR 18 Barrientos
Authorizing the burial of Steven Leslie Martin in the State Cemetery.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

March 3

Agriculture and Livestock - **HB 151, HB 240, HB 873**

Economic Development - **HB 667**

Juvenile Justice and Family Issues - **HB 233, HB 234, HB 320, HB 821,**
HB 889

Land and Resource Management - **HB 783**

Pensions and Investments - **HB 601**

